

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:16-CR-78-1FL

UNITED STATES OF AMERICA,

v.

ALEXANDER LAMAR WEAVER,
Defendant.

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ORDER


On November 7 2016, the court received a motion to obtain a free copy of the presentence investigation report (“PSR”) filed by Alexander Lamar Weaver (“movant”) [DE-68].

The docket sheet in this action shows the court sentenced movant to a term of imprisonment on October 4, 2016 [DE-63]. Movant has not filed an appeal from the judgment of conviction. The docket indicates there are no pending motions for relief from judgment.

Federal inmates are not entitled to documents and materials at government expense for collateral attacks on their convictions, absent some showing of a particularized need. United States v. MacCollum, 426 U.S. 317, 326-27 (1976); United States v. Gallo, 849 F.2d 607 (Table), 1988 WL 60934, at *1 (4th Cir. May 31, 1988) (“Copies of transcripts and court records may be provided to an indigent litigant at government expense upon a showing by the litigant of a particularized need.”). “An indigent is not entitled to free copies ‘merely to comb the record in the hope of discovering some flaw.’” Gallo, 1988 WL 60934 at *1 (quoting United States v. Glass, 317 F.2d 200, 202 (4th Cir. 1963)).

As the docket sheet indicates, there are no pending appeals or motions for post-conviction relief. Accordingly, there are no current proceedings before the court that require the requested documents nor has movant identified the reasons these documents should be furnished to him. Consequently, his motion to obtain free copies [DE-63] is DENIED.

SO ORDERED. This the 7th day of December, 2016.

A handwritten signature in black ink, reading "Julie Richards Johnston", written over a horizontal line.

Julie Richards Johnston
Clerk of Court